

ORDINANCE NO. 1798

(An ordinance amending the penalty provisions of Chapter 17.10 of the Hood River Municipal Code allowing violations of Title 17 to be processed as violations instead of misdemeanors; and amending Chapter 17.13 to specify the fines that may be imposed for violation of Chapter 17.13)

WHEREAS, Chapter 17.10 of the Hood River Municipal Code contains a penalty provision that requires violations of Title 17 to be processed as misdemeanors under Chapter 1.12, or abated;

WHEREAS, Chapter 1.12 deems violations of any ordinance of the City a misdemeanor punishable by a fine or imprisonment, unless otherwise specified by state law or ordinance;

WHEREAS, Chapter 17.13, which is known as the sign code, provides for punishment of violations of the sign code in accordance with Chapter 17.10;

WHEREAS, the City does not consider violations of Title 17 as offenses that should be punishable by imprisonment; and

WHEREAS, violations of Title 17 should be subject to abatement or to treatment as civil violations punishable by imposition of a fine only and not imprisonment.

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Chapter 17.10 of the Hood River Municipal Code is amended as follows:

17.10 – SEVERABILITY – PENALTIES

SECTIONS:

- 17.10.010 Severability.
- 17.10.020 Penalty and Abatement.

17.10.010 SEVERABILITY

The invalidity of a section or subsection of this ordinance title shall not affect the validity of remaining sections or subsections.

17.10.020 PENALTY AND ABATEMENT

~~Any person who violates or causes a violation of any provision of this title shall be deemed guilty of an offense and shall be subject to punishment as prescribed in Chapter 1.12 of this code.~~ Violations of this title are declared civil violations and such violations may, in addition to or in lieu of other remedies or enforcement measures provided by State law or this title, be enforced under the provisions of Chapter 1.12 of this code.

- A. In case a building or other structure is being used [No Change to this provision] . . . or use.

B. When a violation is of a continuing nature, a separate violation shall be deemed to occur on the annual anniversary date of the original violation.

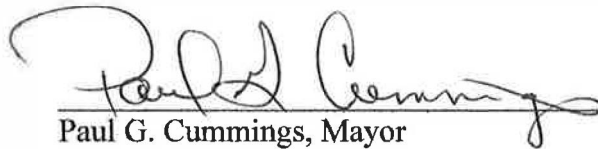
Chapter 17.13 of the Hood River Municipal Code is amended as follows:

17.13.160 PENALTIES


Failure to comply with the provisions of this chapter ~~this ordinance~~ shall constitute a violation of ~~these regulations~~ and will be subject to the penalty and abatement proceedings in the ~~Severability-Penalties~~ chapter of the Hood River Municipal Code this title. In addition to any costs, assessments or restitution the court may impose, the fine shall be not less than \$250 per violation plus \$2.50 per day in which the person is found in violation, and shall not exceed \$1,000 per violation plus \$10 per day in which the person is found in violation.

Read for the first time: Sept 11, 2000.

Read for the second time and passed: Sept 11, 2000, to become effective thirty (30) days hence.


Paul G. Cummings, Mayor

ATTEST:


Anita R. Smith, City Recorder